## **United States District Court**

## Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

То:

Alfred E. Hembree individually

PO Box 234,

Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

## PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa. OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson

MAR 1 5 2006

Conner & Winters, P.C.

100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi	
Clerk	Date
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(By) DEPUTY CLERK

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Service of the Summons and complaint was inded by men    MANGE OF SERVISE (PRITE)	RETURN OF SERVICE		
NAME OF SERVICE (PROTECTION OF DELEVERY)    Served personally upon the third-party defendant. Place where served:	Service of the Summons and complaint was made by r	DATE 3.20.2006	
Check one box below to indicate appropriate method of service	NAME OF SERVER (PRINT)	TITLE	
Served personally upon the third-party defendant. Place where served:	Check one box below to indicate appropriate to	nethod of service	
discretion then residing therein.  Name of person with whom the summons and complaint were left:    Returned unexecuted:			
Returned unexecuted:	discretion then residing therein.		
STATEMENT OF SERVICE FEES  TRAVEL  SERVICES  TOTAL  DECLARATION OF SERVER  I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.  Executed on 323-2006  Date  Significance of Server  1111 South South, Set 200 Julya OK 74105  Address of Server    Agent   Agent   Agent   Agent   Address of the reverse   Agent   Address of Server   Address of Server   Agent   Address of Server   Address of Server   Address of Server   Address of Server   Agent   Address of Server   Address of Serv	Name of person with whom the summor	is and complaint were lett:	
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